Supreme Court of the United States

Supreme Court U.S.
FILED
OCT 8 1909
JAMES H. McKENNEY,
Clerk

MARTHA RAPHAEL, Administratrix of the Estate of Nathaniel W. Raphael, deceased,

Appellant,

vs.

SPENCER TRASK, George Foster Peabody, Edwin M. Bulkley, Charles J. Peabody and Acosta Nichols,

Appellees.

October Term, 1909.

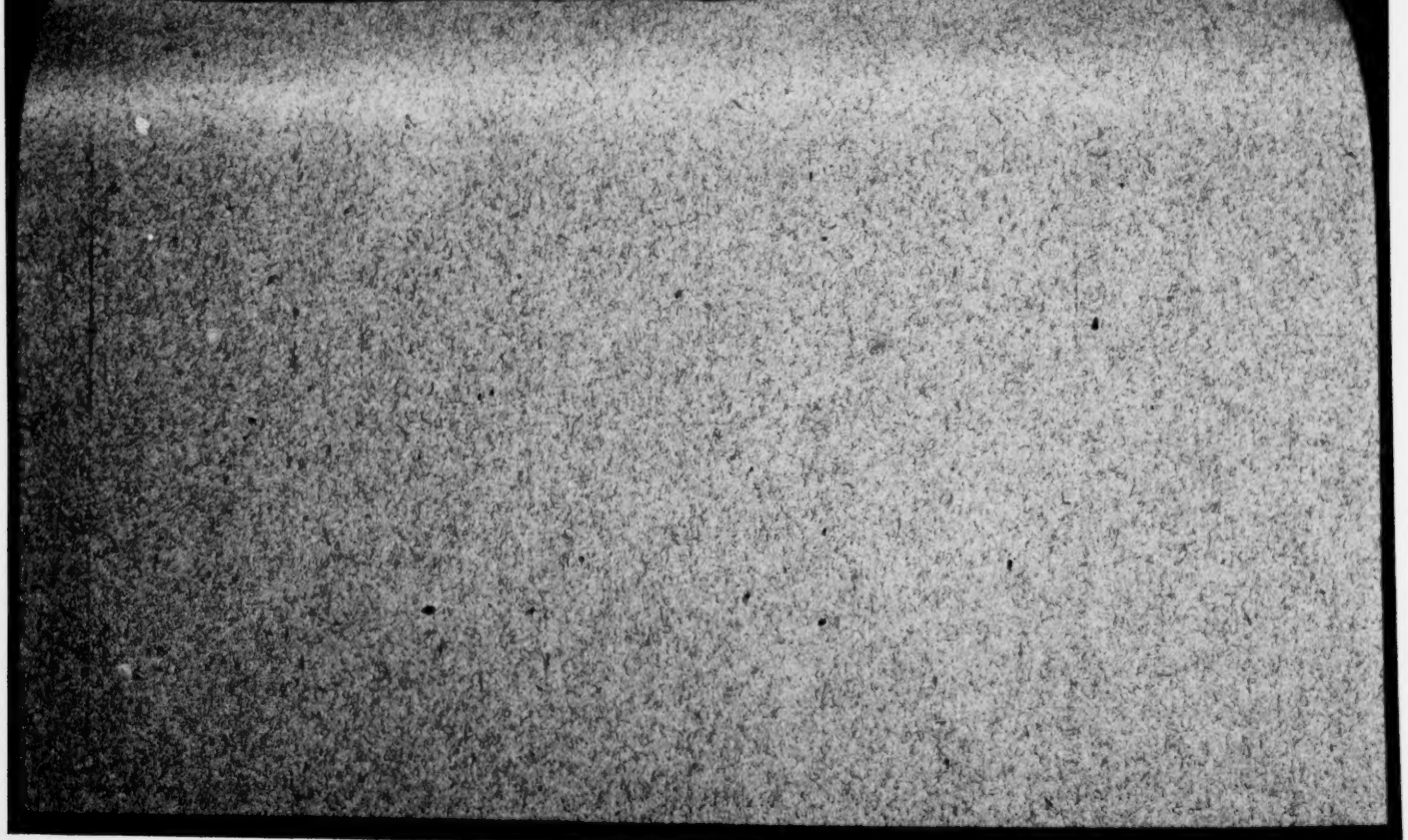
No. 229.

APPEAL FROM THE CIRCUIT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK.

APPELLANT'S MOTION, NOTICE OF MOTION, AND STATEMENT TO ADVANCE HEARING UNDER RULE 32.

CHARLES LOCKE EASTON,
Counsel for Appellant.

APPEAL PRINTING CO., 14 VESEY ST. TEL. 192 CORTLANDT.



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Supreme Court of the United States.

MARTHA RAPHAEL, Administratrix of the Estate of Nathaniel W. Raphael, deceased, Appellant,	
vs.	October Term, 1903, No. 229.
SPENCER TRASK, George Foster Peabody, Edwin M. Bulkley, Charles J. Peabody and Acosta Nichols, Appellees.	

Appeal from the Circuit Court of the United States for the Southern District of New York.

Comes now the appellant by Charles Locke Easton, her counsel, appearing in that behalf, and moves the Court under Rule 32 to advance the hearing of the appeal in the above-entitled cause because the only question in issue is the question of the jurisdiction of the Court below.

CHARLES LOCKE EASTON,
Counsel for Appellant.

October 12th, 1903.

SUPREME COURT OF THE UNITED STATES.

MARTHA RAPHAEL, Administratrix of the Estate of Nathaniel W. Raphael, deceased,
Appellant,

vs.

SPENCER TRASK, George Foster Peabody, Edwin M. Bulkley, Charles J. Peabody and Acosta Nichols,
Appellees.

To EDWARD M. SHEPARD, ESQ., of Counsel and Messrs. SMITH & HARKNESS, Solicitors for Appellees.

Please take notice that on the 12th day of October, 1903, at the opening of the Court, or as soon thereafter as counsel can be heard, the motion of which the foregoing are copies, will be submitted to the Supreme Court of the United States for the decision of the Court thereon.

Annexed hereto is a copy of a statement to be submitted with the said motions in support thereof.

CHARLES LOCKE EASTON,
Counsel for the Appellant.

New York City, October 1st, 1903.

SUPREME COURT OF THE UNITED STATES.

MARTHA RAPHAEL, Administratrix of the Estate of Nathaniel W. Raphael, deceased,
Appellant,

vs.

SPENCER TRASK, George Foster Peabody, Edwin M. Bulkley, Charles J. Peabody and Acosta Nichols,
Appellees.

Statement.

The Justice who heard this cause, in the Court below, has certified (Printed Transcript, page 121), to this Court in pursuance of the 5th Section of the "Act of Congress, approved March 3d, 1891, entitled an "Act to establish Circuit Courts of Appeals and to define and regulate in certain cases the jurisdiction of the Courts of the United States, and for other purposes"—that the only question in issue is the question of the jurisdiction of the said Court below.

1902, November 15th, the Court below sustained the plea of the defendant's (appellee's) (Printed Transcript page 94), to the jurisdiction of the Court below, and dismissed plaintiff's (appellants) bill of complaint, and on the same day the Court below entered an order (page 122) allowing appellant's appeal to this Court.

1902, December 15th, solicitor's for defendants accepted service (page 127), (Printed transcript) of citation.

1903, March 5th, appellant filed the transcript of the record in this Court.

1903, September 23d, printed copy of the record of this appeal received by appellant's solicitors from the Clerk of this Court.

Appellant therefore, asks this Court, at the earliest time possible, in pursuance of Rule 32 of this Court, to have the hearing of this appeal advanced on the calendar of this Term of Court.

Respectfully submitted,
CHARLES LOCKE EASTON,
Counsel for Appellant.

[1703]